

March 30, 2021

**VIA OVERNIGHT DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
9050 Junction Drive  
Annapolis Junction, MD 20701

**Re: W282BP, Charlotte, NC**  
**Fac. ID No. 157782**  
**Request for Extension of Silent STA and Section 312(g) Relief**

Dear Ms. Dortch:

On behalf of Blue Ridge Broadcasting Corporation (“Blue Ridge”), the licensee of FM Translator Station W282BP, Charlotte, NC, this letter requests that the Commission exercise its discretion and extend special temporary authority for W282BP to remain silent for an additional six-month period “to promote equity and fairness” pursuant to Section 312(g) of the Communications Act of 1934, as amended,<sup>1</sup> due to delay caused by the global COVID-19 pandemic. A request for extension of W282BP’s silent STA is pending in FCC File No. BLESTA-20210312AAF.

Blue Ridge acquired W282BP on July 15, 2020, pursuant to FCC File No. BAL-20200504AAN. Prior to the acquisition, W282BP went silent on March 31, 2020, pursuant to FCC File No. BLSTA-20200402AAE in connection with an anticipated relocation of the transmitter facility. On November 24, 2020, the Media Bureau extended W282BP’s silent special temporary authority to April 1, 2021, in FCC File No. BLESTA-20201013AAN. At the time of the last extension, Blue Ridge had anticipated that the transmitter relocation pursuant W282BP’s minor modification construction permit in FCC LMS File No. 0000113597 (the “Construction Permit”) would be completed and that W282BP would return to air in a few weeks.

Blue Ridge has diligently pursued construction of the directional facility authorized in the Construction Permit so that W282BP can resume broadcasting as soon as possible. Blue Ridge ordered the antenna from Electronics Research, Inc. (“ERI”) on November 18, 2020. ERI accepted the order the next day and orally estimated that it would take three weeks for

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<sup>1</sup> 47 U.S.C. § 312(g)

manufacturing and delivery after payment. ERI confirmed payment on December 14, 2020, and accordingly Blue Ridge expected delivery in January 2021, well in advance of the April 1, 2021, deadline. In anticipation of delivery, Blue Ridge entered into a lease with Crown Castle and commenced paying monthly rent for the tower site in January 2021. Blue Ridge has a tower crew on standby to install the antenna as soon as it is received.

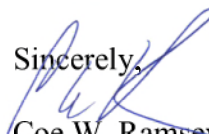
Blue Ridge is fully committed to constructing the directional Construction Permit facility and returning W282BP to serving the community as soon as possible.<sup>2</sup> Since January 2021, Blue Ridge's engineer has been in contact with ERI on a weekly basis and sometimes multiple times a week. However, Blue Ridge has yet to receive the antenna from ERI. Blue Ridge has worked with ERI on many prior occasions, and the delay Blue Ridge is currently experiencing with ERI is unprecedented. Manufacturing delays due to the global COVID-19 pandemic have delayed completion of the antenna. Indeed, as the Media Bureau has recognized, the COVID-19 pandemic has disrupted equipment availability and deliveries.<sup>3</sup>

Based on Blue Ridge's conversation with ERI this morning, Blue Ridge understands that the antenna design was recently tested on the range, and that it has now been sent to manufacturing. Blue Ridge hopes to receive the antenna in approximately two weeks.

In light of the foregoing facts and circumstances, Blue Ridge submits that extension of special temporary authority for W282BP to remain silent for an additional six months would promote equity and fairness and satisfies the requirements of Section 312(g). Such Section 312(g) relief is consistent with the public interest. Blue Ridge has diligently pursued returning W282BP to air, however due to circumstances outside of Blue Ridge's control, W282BP has been unable to return to the air prior to the one-year anniversary of going silent.

Accordingly, for the foregoing reasons, in order to promote fairness and equity, Blue Ridge respectfully request Section 312(g) relief, waiver of applicable Commission rules, and extension (and reinstatement if necessary) of W282BP's license and silent authority for an additional six months.

Sincerely,

  
Coe W. Ramsey  
Counsel for Blue Ridge  
Broadcasting Corporation

cc: Tom Hutton (via e-mail)  
Victoria McCauley (via e-mail)

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<sup>2</sup> In light of the impending one-year anniversary of W282BP going silent, Blue Ridge is exploring the potential to install a temporary non-directional antenna and commence operating W282BP tomorrow, March 31, 2021, with a low power facility under a special temporary authority pending the completion of the directional facility authorized in the Construction Permit. There are potential weather concerns that may not make this option feasible due to safety concerns. However, in the event such installation is able to occur and such low power special temporary authority is authorized, the instant request would become moot.

<sup>3</sup> See *Public Notice*, DA 20-1059 (Sept. 10, 2020).